

JURY VERDICT FORM

Question 1. Did Plaintiffs prove, by a preponderance of the evidence, all the elements of their first claim (violation of CDAFA)?

YES / NO

Go to Question 2.

Question 2. Did Plaintiffs prove, by a preponderance of the evidence, all the elements of their second claim (invasion of privacy)?

YES / NO

*If you answered “yes” to Question 2, you must answer Question 2A and go to Question 3.
If you answered “no” to Question 2, skip Question 2A and go to Question 3.*

Question 2A. Did Defendant prove, by a preponderance of the evidence, all the elements of its affirmative defense of consent?

YES / NO

Question 3. Did Plaintiffs prove, by a preponderance of the evidence, all the elements of their third claim (intrusion upon seclusion)?

YES / NO

*If you answered “yes” to Question 3, you must answer Question 3A.
If you answered “no” to Question 3, skip Question 3A.
Regardless of your answer to Question 3, read the instructions at the bottom of this page.*

Question 3A. Did Defendant prove, by a preponderance of the evidence, all the elements of its affirmative defense of consent?

YES / NO

If you answered:

- “no” to Question 1 **AND**
- “no” to Question 2 (or “yes” to Question 2 but “yes” to Question 2A) **AND**
- “no” to Question 3 (or “yes” to Question 3 but “yes” to Question 3A),

answer no more questions and skip to the final page.

If you answered:

- “yes” to Question 1 **OR**
- “yes” to Question 2 and “no” to Question 2A **OR**
- “yes” to Question 3 and “no” to Question 3A

answer Question 4.

Question 4. Have Plaintiffs proved, by a preponderance of the evidence, that they are entitled to disgorgement, also known as unjust enrichment damages?

YES / NO

If you answered “yes” to Question 4, identify the amount of unjust enrichment damages you award each class on the following lines.

Class 1: Android Class _____

Class 2: Non-Android Class _____

*If you answered “yes” to Question 1 **OR** if you answered “yes” to Question 3 and “no” to Question 3A, go to Question 5.*

Otherwise, and regardless of your answer to Question 4, skip Question 5 and go to Question 6.

Question 5. Have Plaintiffs proved, by a preponderance of the evidence, that they are entitled to compensatory (also known as “actual”) damages?

YES / NO

If you answered “yes” to Question 5, identify the amount of actual damages you award each class on the following lines, skip Question 6, and then go to Question 7.

Class 1: Android Class _____

Class 2: Non-Android Class _____

If you answered “no” to Question 5, go to Question 6.

Question 6. Should Plaintiffs receive any nominal damages of no more than \$1.00 per person?

YES / NO

If you answered “yes” to Question 6, identify nominal damages you award each class on the following lines. The estimated class sizes are 54,923,146 individuals for Class 1, the Android Class, and 59,565,930 individuals for Class 2, the Non-Android Class.

Class 1: Android Class _____

Class 2: Non-Android Class _____

*If you answered “yes” to Question 1 **OR** if you answered “yes” to Question 3 and “no” to Question 3A, go to Question 7. Otherwise, go to the final page.*

Question 7: Have Plaintiffs proved, by clear and convincing evidence, that Google engaged in the conduct at issue with malice, oppression, or fraud?

YES / NO

Regardless of your answer to Question 7, go to the final page.

You have reached the final page of the verdict form. Please ensure that you have complied with the instructions in this form and in the jury instructions. Double check that you have answered all Questions that these instructions directed you to complete. Then please have the Foreperson sign and date this form below. After signing the form, please notify the Courtroom Deputy that a verdict has been reached.

Date: _____

Signature of Foreperson: _____